

State of New York
Supreme Court, Appellate Division
Third Judicial Department

Decided and Entered: January 19, 2017

D-14-17

In the Matter of KATHERINE A.
SUPLEE, an Attorney.

MEMORANDUM AND ORDER
ON MOTION

(Attorney Registration No. 1923192)

Calendar Date: January 11, 2017

Before: Egan Jr., J.P., Lynch, Rose, Clark and Aarons, JJ.

Katherine A. Suplee, Union, New Jersey, pro se.

Monica A. Duffy, Attorney Grievance Committee for the Third
Judicial Department, Albany, for Attorney Grievance Committee for
the Third Judicial Department.

Per Curiam.

Katherine A. Suplee was admitted to practice by this Court in 1984 and lists a business address in Union, New Jersey with the Office of Court Administration. Suplee now seeks leave to resign from the New York bar for nondisciplinary reasons (see Uniform Rules for Attorney Disciplinary Matters [22 NYCRR] § 1240.22 [a]). The Attorney Grievance Committee for the Third Judicial Department (hereinafter AGC) opposes Suplee's application due to its improper form.

In support of her application to resign, Suplee submitted a "certification" indicating that the facts therein were certified as true. Suplee also acknowledged that false statements in her certification could subject her to punishment. Accordingly, although Suplee's application is defective inasmuch as it is not in affidavit form (see Uniform Rules for Attorney Disciplinary Matters [22 NYCRR] § 1240.22 [a] [1]; Rules of App Div, 3d Dept [22 NYCRR] § 806.22 [a]), we will exercise our discretion to excuse such defect under the circumstances presented (see Matter

of Lamson, ____ AD3d ____ [decided herewith]).

Turning to the merits, we note that AGC does not substantively oppose the application. Accordingly, upon reading the certification of Suplee dated September 26, 2016, and upon reading the correspondence in response by AGC's Chief Attorney, and having determined that Suplee is eligible to resign for nondisciplinary reasons, we grant her application and accept her resignation.

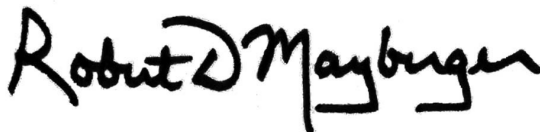
Egan Jr., J.P., Lynch, Rose, Clark and Aarons, JJ., concur.

ORDERED that Katherine A. Suplee's application to resign is granted and her nondisciplinary resignation is accepted; and it is further

ORDERED that Katherine A. Suplee's name is hereby stricken from the roll of attorneys and counselors-at-law of the State of New York, effective immediately, and until further order of this Court (see generally Uniform Rules for Attorney Disciplinary Matters [22 NYCRR] § 1240.22 [b]); and it is further

ORDERED that Katherine A. Suplee shall, within 30 days of the date of this decision, surrender to the Office of Court Administration any Attorney Secure Pass issued to her.

ENTER:

A handwritten signature in black ink, reading "Robert D. Mayberger". The signature is written in a cursive, flowing style with a large, stylized "R" and "M".

Robert D. Mayberger
Clerk of the Court